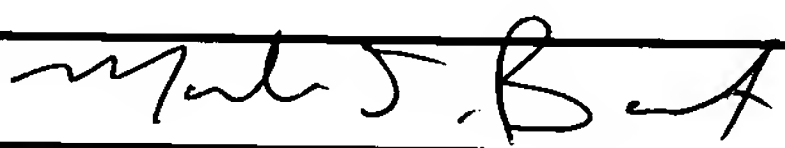


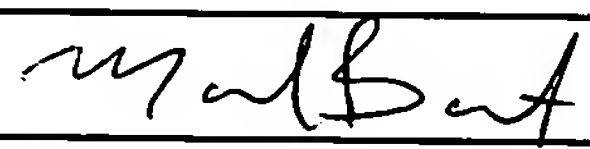
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OFFICIAL TRANSMITTAL FORM (to be used for correspondence after initial filing) MAR 27 2006 U.S. PATENT & TRADEMARK OFFICE	Application Number	10/709015
	Filing Date	04/07/2004
	First Named Inventor	Matthew Banet
	Art Unit	3736
	Examiner Name	Mallari, P.
	Attorney Docket Number	A-0004
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name			
Signature			
Printed name	Matthew J. Banet		
Date	3/17/2006	Reg. No.	40902

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Signature			
Typed or printed name	Matt Banet	Reg. No. 40,902	Date 3-17-06

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MAR 27 2006

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Examiner Name	Mallari, P.
Art Unit	3736
Attorney Docket No.	A-0004

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

	Fee (\$)	Small Entity Fee (\$)
- Each claim over 20 (including Reissues)	50	25
- Each independent claim over 3 (including Reissues)	200	100
- Multiple dependent claims	360	180
- Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

Multiple Dependent Claims**Fee (\$)** **Fee Paid (\$)****3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement

Fees Paid (\$)

\$180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 40,902	Telephone 858-427-4620
Name (Print/Type)	Matthew J. Banet		Date 3/17/2004

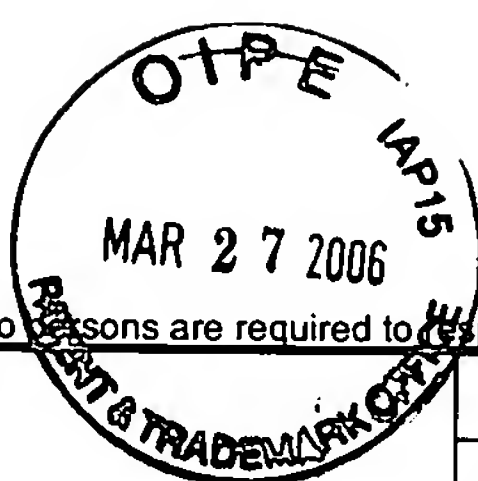
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03/28/2006 551THB1 00000040 10709015

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P
Attorney Docket Number	A-0004

Sheet 1 of 5

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3412729	11/1/1968	Smith	
		US- 4063551	12/1/1977	Sweeny	
		US- 4080966	3/28/1978	McNally et al.	
		US- 4367752	1/11/1983	Jimenez et al.	
		US- 4380240	4/19/1983	Jobsis et al.	
		US- 4425920	1/17/1984	Bourland et al.	
		US- 4681118	7/21/1987	Asia et al.	
		US- 4777954	10/18/1988	Kuesch et al.	
		US- 4825879	5/2/1989	Tan et al.	
		US- 4846189	7/11/1989	Sun	
		US- 4869261	9/26/1989	Penaz	
		US- 4917108	4/17/1990	Mault	
		US- 5002055	3/26/1991	Merki et al.	
		US- 5038792	8/13/1991	Mault	
		US- 5111817	5/1/1992	Clark et al.	
		US- 5178155	1/12/1993	Mault	
		US- 5179958	1/19/1993	Mault	
		US- 5213099	5/25/1993	Tripp, Jr.	
		US- 5237997	8/1/1993	Greubel et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2

of 5

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Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P
Attorney Docket Number	A-0004

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5309916	5/10/1994	Hatschek	
		US- 5435315	7/25/1995	McPhee et al.	
		US- 5485848	1/23/1996	Jackson et al.	
		US- 5632272	5/27/1997	Diab et al.	
		US- 5727558	3/17/1998	Hakki et al.	
		US- 5743857	4/28/1998	Shinoda et al.	
		US- 5836300	11/17/1998	Mault	
		US- 5857975	1/12/1999	Golub	
		US- 5865755	2/2/1999	Golub	
		US- 5865758	2/2/1999	Louzianine	
		US- 5891042	4/6/1999	Sham et al.	
		US- 5921936	7/13/1999	Inukai et al.	
		US- 6004274	12/21/1999	Nolan et al.	
		US- 6013009	1/11/2000	Karkanen	
		US- 6176831	1/23/2001	Voss et al.	
		US- 6224548	5/1/2001	Gopinathan et al.	
		US- 6245014	6/12/2001	Brainard, II, Edward C	
		US- 6280390	8/28/2001	Akselrod et al.	
		US- 6334065	12/25/2001	Al-Ali et al.	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3

of 5

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Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P
Attorney Docket Number	A-0004

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US- 6371921	4/16/2002	Caro, et al.	
		US- 6432061	8/1/2002	Nissila et al.	
		US- 6443905	9/3/2002	Nissila et al.	
		US- 6443906	9/3/2002	Ting et al.	
		US- 6475146	11/5/2002	Frelburger et al.	
		US- 6475153	11/5/2002	Khair et al.	
		US- 6477397	11/5/2002	Ronkainen et al.	
		US- 6511436	1/28/2003	Asmar	
		US- 6514211	2/4/2003	Baura	
		US- 6527711	3/4/2003	Stivoric et al.	
		US- 6533729	3/18/2003	Khair, et al.	
		US- 6553247	4/22/2003	Rytky	
		US- 6556852	4/29/2003	Schulze et al.	
		US- 6558321	5/6/2003	Burd et al.	
		US- 6571200	5/27/2003	Mault	
		US- 6595929	7/22/2003	Stivoric et al.	
		US- 6599251	7/29/2003	Chen et al.	
		US- 6605044	8/12/2003	Bimbaum	
		US- 6616613	9/9/2003	Goodman	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 4

of 5

Complete if Known

Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6645154	11/11/2003	Oka	
		US- 6645155	11/11/2003	Inukai et al.	
		US- 6652466	11/25/2003	Sugo et al.	
		US- 6678543	1/13/2004	Diab et al.	
		US- 6681454	1/27/2004	Modgil et al.	
		US- 6714804	3/30/2004	Al-Ali, et al.	
		US- 6723054	4/20/2004	Baruch et al.	
		US- 6733447	5/1/2004	Lai et al.	
		US- 6740045	5/25/2004	Amano	
		US- 6775566	8/10/2004	Nissila et al.	
		US- 6808473	10/26/2004	Hisano, et al.	
		US- 6813511	11/2/2004	Diab, et al.	
		US- 6814705	11/9/2004	Kawaguchi	
		US- 6852083	2/8/2005	Caro, et al.	
		US- 6871084	3/22/2005	Kigsley et al.	
		US- 20020183627	12/5/2002	Nishii et al	
		US- 20040030261	2/12/2004	Rantala, Borje	
		US- 20040260186	12/23/2004	Dekker, Andreas Lubbertus Aloysius	
		US-			

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/709,015
		Filing Date	04/07/2004
		First Named Inventor	Matthew Banet
		Art Unit	3736
		Examiner Name	Mallari, P
Sheet 5	of 5	Attorney Docket Number	A-0004

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	WEIJIA CUI, LEE E. et al., In Vivo Reflectance of Blood and Tissue as a Function of Light Wavelength, submitted to IEEE Transactions on Biomedical Engineering, Vol. 37 No. 6	

Examiner Signature		Date Considered	
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